

VZCZCXRO0333
PP RUEHBZ RUEH DU RUEHGI RUEHJO RUEHMR RUEHRN
DE RUEH KI #0383/01 1200625
ZNR UUUUU ZZH
P 290625Z APR 08
FM AMEMBASSY KINSHASA
TO RUEHC/SECSTATE WASHDC PRIORITY 7930
INFO RUEHXR/RWANDA COLLECTIVE
RUCNSAD/SOUTHERN AF DEVELOPMENT COMMUNITY COLLECTIVE
RUEAIIA/CIA WASHDC
RHEFDIA/DIA WASHDC
RHMFISS/HQ USEUCOM VAIHINGEN GE
RUZEJAA/JAC MOLESWORTH RAF MOLESWORTH UK

UNCLAS SECTION 01 OF 04 KINSHASA 000383

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SENSITIVE
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E.O. 12958: N/A

TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KPKO](#) [KJUS](#) [SOCI](#) [PINR](#) [CG](#) [RW](#) [UN](#)
SUBJECT: AMBASSADOR WILLIAMSON GAINS CONGOLESE SUPPORT FOR
NEW REWARDS FOR JUSTICE PROGRAM

REF: A. 07 KINSHASA 919

[B](#). KINSHASA 190

[C](#). KINSHASA 218

[D](#). KINSHASA 272

[1](#). (SBU) Summary: Ambassador-at-Large for War Crimes Issues Clint Williamson met with senior officials from the Congolese Government (GDRC), MONUC, NGOs and the diplomatic community during his April 9-12 visit to Kinshasa. He emphasized that his meetings were part of a broader Great Lakes visit designed to address war crimes issues in national as well as cross-border, regional contexts, and underscored that GDRC is critical to any long-term regional solutions.

[2](#). (SBU) Summary, continued: Ambassador Williamson focused on three key issues in his DRC meetings:

-- Gaining support for implementation of a Rewards for Justice program to target International Criminal Tribunal for Rwanda (ICTR) fugitives believed to be present in the DRC;

-- Addressing the current status of the Nairobi and Goma processes and the challenges of extending state authority and ending impunity in eastern DRC; and

-- Examining past atrocities in the DRC and discussing efforts to provide justice and accountability, particularly through the UN Office of the High Commissioner for Human Rights, (OHCHR) human rights mapping exercise (ref A). End Summary.

Amani National Coordinator Malumalu

[3](#). (SBU) Apollinaire Malumalu, national coordinator of the Amani Program set up to implement the Goma accords, highlighted the challenges to preventing war crimes and ending conflict in the east during a breakfast discussion with Ambassador Williamson. Malumalu said war crimes in Congo are linked to lack of state authority and to inaccessibility of territory. To improve the accountability of the Congolese military (FARDC), he recommended stationing FARDC units in permanent camps where they could be better controlled and disciplined. He also stressed the importance of social and economic projects to ease the reinsertion and reintegration of ex-combatants into civilian life.

Defense Minister Chikez

[4](#). (SBU) Defense Minister Chikez Diemu promised support for the Rewards for Justice (RFJ) program in his meeting with

Ambassador Williamson. Chihez said the DRC had consistently cooperated with international courts on war crimes issues, citing the transfer of three Ituri District militia leaders to the ICC and three Rwandans indicted by the ICTR to Arusha.

Ambassador Williamson emphasized that RFJ will target five specific ICTR fugitives, as opposed to the list of 6,997 suspected FDLR genocidaires provided by Rwanda; both agreed it would be helpful if Rwanda prioritized that list. Ambassador Williamson reiterated the USG's continuing commitment to a regional solution that addressed the FDLR and CNDP threats concurrently.

Canadian Ambassador Johnson

15. (SBU) Ambassador Williamson and Canadian Ambassador Sigrid Johnson discussed Ambassador Garvelink's proposal that Canada lead an independent investigation into the Kalonge massacre in North Kivu in January (ref B). Ambassador Johnson confirmed that the Canadian government is considering leading an investigation that would be acceptable to all parties, including the CNDP, NGOs, donors and the Goma process International Facilitation. Ottawa is currently attempting to identify funding. Johnson reported that a Canadian judge advocate general, Senior Brigadier General Watkins, would soon be arriving in Kinshasa for an initial assessment.

16. (SBU) Ambassador Johnson said Canada had pushed very strongly for retaining the UN independent human rights expert on the DRC. Ambassador Williamson agreed that having some high-level human rights monitoring mechanism sent an important political message.

KINSHASA 00000383 002 OF 004

SRSG Doss

17. (SBU) SRSG Alan Doss said over lunch with Ambassador Williamson that there are no easy answers to integrating armed groups into the FARDC, suggesting that it must balance integration against the need to vet war crimes suspects. Doss said that an independent investigation into the Kalonge massacre should fully address the allegations and give alleged perpetrators the opportunity to respond to conclusions before making its report public. When asked about MONUC's rule of law mandate, Doss explained its primary role is to create baseline initiatives that will continue after MONUC's departure. Doss stated that MONUC's UNSC mandate was now sufficiently robust and lacked only funding and resources.

18. (SBU) Doss signaled MONUC's political and logistical support for an RFJ program, saying it would send a strong message to Rwanda that the international community and the GDRC are serious about addressing the threat of the FDLR. Doss suggested that Ambassador Williamson encourage Rwanda to trim its FDLR list and publicly state that no one who was under 14 (the age of majority) in 1994 would be prosecuted for genocide.

Deputy Chief of Staff Mayuma

19. (SBU) Ambassador Williamson described the RFJ program to Louise Mayuma, Deputy Chief of Staff to President Kabila, seeking Kabila's support for the program. She promised to forward the information to Kabila in Lubumbashi immediately. She said fugitives must be arrested if found on DRC territory. She expressed satisfaction that the program targeted the ICTR list, citing the large Rwandan FDLR list as a source of frustration for the DRC. She claimed it masked Rwanda's true intentions and blocked progress on the return and reintegration of FDLR members into Rwandan society.

110. (SBU) Ambassador Williamson conveyed to Mayuma an ICTR

request for a meeting between the DRC, MONUC and the ICTR prosecutor's office. Mayuma said her office would contact Foreign Minister Mbusa Nyamwisi to determine the DRC response. She called particular attention to the level of sexual violence in the DRC and asked for recommendations from the U.S. to address what she labeled sexual genocide. Ambassador Williamson said that the U.S. views increasing accountability and reducing impunity as essential to the long-term process of addressing conflict in the DRC.

Interior Minister Kalume

¶11. (SBU) Minister Kalume drew immediate attention to the GDRC's cooperation with the ICC, which Ambassador Williamson commended. Ambassador Williamson asked how the DRC might identify and investigate war crimes in the east, noting that the Goma accords do not include amnesty for these offenses. Kalume said that MONUC should extend its observation resources and that the FARDC must respect national and international laws. Kalume noted that replacing the FARDC by police in the east is part of the DRC's plan for security sector reform. He said it aims to group FARDC units in camps in strategic areas, with some elements concentrating on development and agricultural work. Kalume said the Goma process would have failed but for USG's continued strong support, stating that efforts by A/S Frazer's Senior Advisor Tim Shortley "saved Goma" and allowed others to follow.

¶12. (SBU) Kalume detailed a list of alleged Bundu Dia Kongo (BDK) abuses in Bas-Congo province, including harassment of missionaries and non-Kongo residents, usurping border control functions, and holding trials and meting out sentences, including the death penalty. He asserted that the people of Bas-Congo welcomed the police crackdown on the BDK in February and March (ref D).

MONUC Joint Mission Analysis Center

¶13. (SBU) Ambassador Williamson highlighted USG plans for an RFJ program in discussions with MONUC's Joint Mission Analysis Center (JMAC) Director Johan Peleman. Ambassador Williamson said he would encourage the ICTR to share more

KINSHASA 00000383 003 OF 004

information on the five fugitives with MONUC. He also raised the issue of the FDLR leadership in Europe and their financial influence. Peleman emphasized that targeted sanctions against the leaders are ineffective because most FDLR are poor, partly due to the heavy expense of supporting its fighters and dependents.

¶14. (SBU) Peleman made a number of helpful recommendations including keeping transportation corridors open through increase use of MONUC checkpoints, maintaining psychological pressure on the FDLR (press, UNSC resolutions, etc.) to increase fracturing, and giving the UN Human Rights office and NGOs specific instructions to identify FDLR members who commit human rights abuses, as they already do with CNDP and FARDC. This would then give the GDRC a basis to act. Lastly, Peleman said that he believed alleged genocidaire Felicien Kabuga provided direct financial support from Kenya to the FDLR.

Global Rights

¶15. (SBU) Victor Kashosi, administrator of the NGO Global Rights, told Ambassador Williamson that sexual violence is prevalent throughout the country and is increasingly perpetrated by civilians. He said that more people look to local NGOs when aggrieved rather than to the judicial system. Also, mobile courts are starting to work but people are still hesitant about them; they generally view courts as corrupt. Kashosi called for more outreach efforts to raise

public awareness of human rights and judicial processes.

European diplomats

¶16. (SBU) Ambassador Williamson discussed justice sector reform with European diplomats Andre Dellevoet of the Netherlands, Nico van Dijk of Belgium, and Thierry Vircoulon of the European Commission. Initial discussion focused on REJUSCO, the largest European-funded judicial program, which provides infrastructure assistance and technical training for magistrates. Dellevoet expressed the European consensus that REJUSCO has been only marginally successful; the EU will maintain but not expand it. The Netherlands plans to target human rights protection and sexual violence during the planning period 2008-2011. Dellevoet and van Dijk characterized Congolese cooperation with REJUSCO as minimal.

¶17. (SBU) All three Europeans noted the importance of establishing Congolese ownership of and commitment to judicial reform but criticized the GDRC's lack of political and budgetary support for it. Ambassador Williamson called domestic prosecutions the preferred option for addressing war crimes but said an international hybrid model was the next best alternative. All participants agreed.

MONUC Human Rights and Rule of Law divisions

¶18. (SBU) MONUC Human Rights Officer Federico Borello told Ambassador Williamson in a joint meeting with MONUC's Rule of Law unit (ROL) that MONUC anticipates beginning the Human Rights Mapping Project in late May or early June. Borello said the project's approach to the target period of March 1993 to June 2003 will incorporate interests and grievances of all groups. MONUC is currently advertising for leadership and technical positions for a team of approximately 30 members. The MONUC Human Rights team requested USG funding and political support for the project. They described the failure to renew the mandate of the UN independent human rights expert on the DRC as the loss of a valuable conduit to the GDRC and international community.

¶19. (SBU) ROL Director Harriet Solloway stressed that three elements were necessary for functioning courts: protection, resources, and training. She said that if Congolese courts are not capable of providing these, then international involvement would have to undertake any prosecutions resulting from the mapping exercise. ROL is currently conducting a census of judicial infrastructure in all provinces which it expects to complete in July.

British Ambassador Kay

KINSHASA 00000383 004 OF 004

¶20. (SBU) Ambassador Williamson emphasized in his meeting with British Ambassador Nick Kay that an effective Rewards for Justice program will be dependent on collaboration among ICTR investigators, MONUC, and the GDRC. Ambassador Kay expressed support for the program. He noted that the British Embassy unsuccessfully attempted six months ago to initiate a small project in coordination with Congolese intelligence personnel to apprehend two or three of the ICTR fugitives.

ICC office

¶21. (SBU) Roberto Buccanti, administrator of the office of the International Criminal Court (ICC) in Kinshasa, told Ambassador Williamson that the Congolese handover of former Ituri District militia leader Mathieu Ngudjolo to the ICC went very smoothly, a commendable achievement for a beleaguered FARDC. Ambassador Williamson recognized that the USG's concerns about the ICC are well known but reiterated

that a modus vivendi based on dialogue and a shared interest in ensuring accountability was the right approach. Buccanti appreciated this and said he would convey it to his colleagues.

Comment

¶22. (SBU) Ambassador Williamson,s visit provided a clear impetus to the peace process by framing an achievable goal: the capture of ICTR fugitives. We anticipate rolling out a Rewards for Justice program targeting them in the near future. The challenges to justice and accountability for war crimes in DRC are enormous, but the need for long-term solutions is even greater. USG engagement in efforts that incrementally lay the groundwork, such as the UN Human Rights Mapping exercise, will give us a greater voice in shaping recommendations by the international community on charting the way forward. End comment.

¶23. (U) This message was cleared by Ambassador Williamson.
GARVELINK